

charge levels, the manner in which charges are imposed, the presence of charge level or annuity rate guarantees and the markets in which the Contracts will be offered. Based upon this review, Applicants represent that the mortality and expense risk charges under the Contracts are within the range of industry practice for comparable contracts. Applicants state that NYLIAC will maintain at its corporate headquarters⁴ and make available to the Commission, upon request, a memorandum outlining the methodology underlying this representation.

Similarly, prior to making available any Other Contracts, Applicants will determine that the mortality and expense risk charges under any such Other Contracts will be within the range of industry practice for comparable contracts. Applicants state that NYLIAC will maintain at corporate headquarters⁵ and make available to the Commission, upon request, a memorandum outlining the methodology underlying such conclusion.

6. Applicants acknowledge that, if a profit is realized from the mortality and expense risk charge under the Contracts, all or a portion of such profit may be available to pay distribution expenses not reimbursed by the CDSC. NYLIAC has concluded that there is a reasonable likelihood that the proposed distribution financing arrangements will benefit the Separate Account and the Contract Owners. NYLIAC will keep at its corporate headquarters⁶ and make available to the Commission, upon request, a memorandum setting forth the basis for this representation.

7. Similarly, Applicants recognize that, if a profit is realized from the mortality and expense risk charge under the Other Contracts, all or a portion of such profit may be available to pay distribution expenses not reimbursed by the CDSL. Prior to issuing Other Contracts, NYLIAC will determine that there is a reasonable likelihood that the proposed distribution financing arrangements will benefit the relevant separate account and the Other Contract Owners. The basis for that conclusion will be set forth in a memorandum which will be maintained by NYLIAC at

its corporate headquarters⁷ and will be made available to the Commission, upon request.

8. Applicants represent that the Separate Account, and any Other Accounts, will invest only in underlying funds that have undertaken to have a board of directors/trustees, a majority of whom are not interested persons of any such fund, formulate and approve any plan under Rule 12b-1 under the 1940 Act to finance distribution expenses.

Applicants' Conditions

Applicants agree that if the requested order is granted such order will be expressly conditioned on Applicants' compliance with the undertakings set forth above. In addition, Applicants undertake to rely on the exemptive relief requested herein with respect to Other Contracts only if such Other Contracts are substantially similar in all material respects to the Contracts.

Conclusion

Applicants assert that, for the reasons and upon the facts set forth above, the requested exemptions from Sections 26(a)(2)(C) and 27(c)(2) of the 1940 Act to deduct the mortality and expense risk charge under the Contracts, or under Other Contracts, offered by the Separate Account or by Other Accounts, meets the standards in Section 6(c) of the 1940 Act. Applicants assert that the exemptions requested are necessary and appropriate in the public interest and consistent with the protection of investors and the policies and provisions of the 1940 Act.

For the Commission, by the Division of Investment Management, pursuant to delegated authority.

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 95-6749 Filed 3-17-95; 8:45 am]

BILLING CODE 8010-01-M

SMALL BUSINESS ADMINISTRATION

Reporting and Recordkeeping Requirements Under OMB Review

ACTION: Notice of reporting requirements submitted for review.

SUMMARY: Under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35), agencies are required to submit proposed reporting and recordkeeping requirements to OMB for review and approval, and to publish a notice in the **Federal Register** notifying

the public that the agency has made such a submission.

DATES: Comments should be submitted on or before April 19, 1995. If you intend to comment but cannot prepare comments promptly, please advise the OMB Reviewer and the Agency Clearance Officer before the deadline.

COPIES: Request for clearance (OMB 83-1), supporting statement, and other documents submitted to OMB for review may be obtained from the Agency Clearance Officer. Submit comments to the Agency Clearance Officer and the OMB Reviewer.

FOR FURTHER INFORMATION CONTACT:

Agency Clearance Officer: Cleo Verbillis, Small Business Administration, 409 3rd Street, SW., 5th Floor, Washington, DC 20416, Telephone: (202) 205-6629

OMB Reviewer: Donald Arbuckle, Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Washington, DC 20503

Title: Financing Eligibility Statement *Form No.:* SBA Form 1941A, B, and C

Frequency: On Occasion

Description of Respondents: SBA businesses seeking financing from Specialized Small Business Investment Companies (SSBIC)

Annual Responses: 1,000

Annual Burden: 2,000

Dated: March 10, 1995.

Cleo Verbillis,

Chief, Administrative Information Branch.

[FR Doc. 95-6712 Filed 3-17-95; 8:45 am]

BILLING CODE 8025-01-M

Reporting and Recordkeeping Requirements Under OMB Review

ACTION: Notice of reporting requirements submitted for review.

SUMMARY: Under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35), agencies are required to submit proposed reporting and recordkeeping requirements to OMB for review and approval, and to publish a notice in the **Federal Register** notifying the public that the agency has made such a submission.

DATES: Comments should be submitted on or before April 19, 1995. If you intend to comment but cannot prepare comments promptly, please advise the OMB Reviewer and the Agency Clearance Officer before the deadline.

COPIES: Request for clearance (OMB 83-1), supporting statement, and other documents submitted to OMB for review may be obtained from the Agency Clearance Officer. Submit

⁴ Applicants undertake to amend the application during the notice period to make this representation.

⁵ Applicants undertake to amend the application during the notice period to make this representation.

⁶ Applicants undertake to amend the application during the notice period to make this representation.

⁷ Applicants undertake to amend the application during the notice period to make this representation.

comments to the Agency Clearance Officer and the OMB Reviewer.

FOR FURTHER INFORMATION CONTACT:

Agency Clearance Officer: Cleo Verbillis, Small Business Administration, 409 3rd Street, SW., 5th Floor, Washington, DC 20416, Telephone: (202) 205-6629

OMB Reviewer: Donald Arbuckle, Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Washington, DC 20503

Title: Application for Section 502/504 Loan

Form No.: SBA Form 1244

Frequency: On Occasion

Description of Respondents: SBA business applying for financial assistance

Annual Responses: 4,000

Annual Burden: 9,000

Dated: March 9, 1995.

Cleo Verbillis,

Chief, Administrative Information Branch.

[FR Doc. 95-6713 Filed 3-17-95; 8:45 am]

BILLING CODE 8025-01-M

[Declaration of Disaster Loan Area #2760; Amdt. #4]

California; Declaration of Disaster Loan Area

The above-numbered Declaration is hereby amended, effective immediately, to establish the incident period for this disaster as beginning on January 3, 1995 and continuing through February 10, 1995.

All other information remains the same, i.e., the termination date for filing applications for economic injury is October 10, 1995. The deadline for filing applications for physical damage expired on March 13, 1995.

(Catalog of Federal Domestic Assistance Program Nos. 59002 and 59008.)

Dated: March 14, 1995.

Bernard Kulik,

Associate Administrator for Disaster Assistance.

[FR Doc. 95-6778 Filed 3-17-95; 8:45 am]

BILLING CODE 8025-01-M

DEPARTMENT OF TRANSPORTATION

Aviation Proceedings; Agreements Filed During the Week Ended March 10, 1995

The following Agreements were filed with the Department of Transportation under the provisions of 49 U.S.C. 412 and 414. Answers may be filed within 21 days of date of filing.

Docket Number: 50185.

Date filed: March 7, 1995.

Parties: Members of the International Air Transport Association.

Subject: COMP Telex Reso 024f, Local Currency Fare Changes—Hungary.

Proposed Effective Date: May 1, 1995.

Docket Number: 50186.

Date filed: March 7, 1995.

Parties: Members of the International Air Transport Association.

Subject: COMP Reso/C 0621 dated February 24, 1995, Expedited Cargo Resos (except to/from US/UST).

Proposed Effective Date: April 1, 1995.

Paulette V. Twine,

Chief, Documentary Services Division.

[FR Doc. 95-6805 Filed 3-17-95; 8:45 am]

BILLING CODE 4910-62-P

Notice of Applications for Certificates of Public Convenience and Necessity and Foreign Air Carrier Permits Filed Under Subpart Q During the Week Ended March 10, 1995

The following Applications for Certificates of Public Convenience and Necessity and Foreign Air Carrier Permits were filed under Subpart Q of the Department of Transportation's Procedural Regulations (See 14 CFR 302.1701 et. seq.). The due date for Answers, Conforming Applications, or Motions to Modify Scope are set forth below for each application. Following the Answer period DOT may process the application by expedited procedures. Such procedures may consist of the adoption of a show-cause order, a tentative order, or in appropriate cases a final order without further proceedings.

Docket Number: 50182.

Date filed: March 6, 1995.

Due Date for Answers, Conforming Applications, or Motion to Modify Scope: April 3, 1995.

Description: Application of United Parcel Service Co., pursuant to 49 U.S.C. Section 41102 of the Act and Subpart Q of the Regulations applies for issuance of a new or amended certificate of public convenience and necessity, so as to authorize UPS to provide foreign air transportation of property and mail between any point or points in the United States, on the one hand, and any point or points in Canada, on the other hand.

Docket Number: 50195.

Date filed: March 10, 1995.

Due Date for Answers, Conforming Applications, or Motion to Modify Scope: April 7, 1995.

Description: First Amendment to the Application of Aeroservicios

Ecuatorianos, C.A., amends its pending Foreign Air Carrier Permit to encompass authority to perform scheduled foreign air transportation of property and mail between Guayaquil and Quito, Ecuador, via the intermediate points Bogota, Colombia and/or Panama City, Panama, and the U.S. co-terminal points Miami, New York, Houston and Los Angeles. AECA proposes to operate five (5) weekly frequencies to Miami; one (1) weekly frequency to New York; and one (1) weekly frequency to Los Angeles, as currently authorized by its homeland license, or such additional frequencies as may be authorized by the Ecuadorian aviation authorities from time to time.

Paulette V. Twine,

Chief, Documentary Services Division.

[FR Doc. 95-6806 Filed 3-17-95; 8:45 am]

BILLING CODE 4910-62-P

Federal Aviation Administration

Research, Engineering and Development Advisory Committee, Aviation Weather Subcommittee; Meeting

Pursuant to section 10(A)(2) of the Federal Advisory Committee Act (Public Law 92-362; 5 U.S.C. App. I), notice is hereby given of a meeting of the Aviation Weather Subcommittee of the Federal Aviation Administration (FAA) Research, Engineering and Development (R,E&D) Advisory Committee to be held Monday, April 3, 1995, 1 PM to 5 PM and continue on Tuesday, April 4, 1995, 8 AM to 5 PM. The meeting will take place at Forecast Systems Laboratory (FSL), 3100 Marine Street, Boulder, Colorado in room 274.

The agenda for this meeting will include presentations and demonstration by FSL and the National Center for Atmospheric Research of their work in developing aviation weather products for the Federal Aviation Administration (FAA) and National Weather Service.

Attendance is open to the interested public, but limited to space available. With the approval of the subcommittee chairman, members of the public may present oral statements at the meeting. Persons wishing to present oral statements, obtain information, or access the building to attend the meeting should contact Mr. Carl McCullough, ASD-110, 800 Independence Avenue, SW., Washington, DC, at (202) 287-8595, the FAA Designated Federal Official to the subcommittee.

Members of the public may present a written statement to the subcommittee at any time.